

CARLTON B. PARKS,	)	
	)	
<i>Plaintiff,</i>	)	
	)	Case No. 1:19-cv-00349
v.	)	
	)	Judge Matthew F. Leitman
JEFFREY J. LYASH, <i>et al.</i> ,	)	Magistrate Judge Steger
	)	
<i>Defendants.</i>	)	
	)	
_____	)	

In this action, Plaintiff Carlton B. Parks brings claims of, among other things, employment discrimination, age discrimination, and racial discrimination against the Defendants. (*See* Am. Compl., ECF No. 17.) On June 11, 2020, the Defendants moved to dismiss Parks’ Amended Complaint pursuant to Federal Rules of Civil Procedure 4(m), 12(b)(5), and 12(b)(6). (*See* Mot. to Dismiss, ECF No. 18).

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Discrimination in Employment Act that he brought against Defendants John Terry, Edward Spoone, Kristi Foxx, and Jamie Lynch. (*See id.*, PageID.266.) The Magistrate Judge recommended that the Court deny the motion to dismiss in all other respects. (*See id.*)

At the conclusion of the R&R, the Magistrate informed the parties that if they wanted to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.266 n.6.)

Neither party has filed an objection to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Because neither party has filed an objection to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant Defendants' motion to dismiss in part and to deny the motion to dismiss in part is **ADOPTED**.

**IT IS FURTHER ORDERED** that (1) Defendants' motion to dismiss is **GRANTED** to the extent that it seeks dismissal of Parks' Title VII and Age Discrimination in Employment Act claims brought against John Terry, Edward

Spoone, Kristi Foxx, and Jamie Lynch and (2) Defendants' motion to dismiss is **DENIED** in all other respects.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

SITTING BY SPECIAL DESIGNATION

Dated: March 16, 2021